Christians.

Marthomite	...	4
S. I. U. C.	...	23
Latin Catholic	...	42
Syrian Catholic	...	26
Jacobite	...	3
Other Christians	...	35
Muslims	...	104

MR. K. P. KOCHUKORATHARAKAN: സമുദായപ്രാതിനിധ്യം അനുസരിച്ച് നിയമനം നടത്താത്തതിന് സമാധാനം പറയുന്ന ക്ലൂട്ടത്തിൽ ഗവണ്മെൻറിനെ സേവിക്കുന്നതിന് ചില സമുദായത്തിൽപ്പെട്ടവർക്ക് സമ്മതമില്ലെന്നു പറഞ്ഞതായി കേട്ടു. അത് ഏതെല്ലാം സമുദായമാണെന്നു പറയാമോ?

KHAN BAHADUR G. SAIYED ABDUL KARIM SAHIB SUHRAWARDY: Sir my friend has not given me very attentive ear. These are my words : ".....unwillingness or nervousness on the part of some *groups*" I did not say 'communities.'

PRESIDENT: Any other statement may be made later on.

STATEMENT LAID ON THE TABLE.

MR. M. GOVINDA PILLAI: Sir, under Rule 76 of the Travancore Legislative Rules, I beg to lay on the table the following statement of expenditure authorised by the Government under Section 32 of Act II of 1108.

Demand.	Amounts in Rupees.	Particulars.
VIII—Administration of Justice	3,000	Under batta to prisoners.
XXXVII—Loans—Other Loans and Advances	25,446-13-0	For the grant of a loan to the Trivandrum Bank Ltd., Trivandrum.

LEGISLATIVE BUSINESS.

THE TRAVANCORE BANKERS, BOOKS EVIDENCE BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: I beg to introduce the Travancore Bankers' Books Evidence Bill. I may be permitted to speak a few words explaining the objects of the Bill and the principles underlying it.

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. Puthupalli S. Krishna Pillai.]

Under the law of evidence, secondary evidence of the contents of documents is admissible only under certain circumstances. It has been found in actual experience that this rule operates to the detriment of, and is seriously inconvenient to, companies carrying on the business of banking in the State. With a view to remedy this defect a legislation similar to the present Bill has been enacted and brought into force in British India and in several Indian States.

The Travancore Banking Enquiry Committee, appointed for the purpose of going into the question as to how far and to what extent the condition of banks working in Travancore could be improved, have recommended that a statute similar to the British Indian Bankers' Books Evidence Act should be enacted here also. The matter has been pending consideration at the hands of Government. Now Government have finally decided to adopt the present Bill which is calculated to comply with the recommendation made by the Banking Enquiry Committee.

As honourable members might have noticed, there is one important respect in which this Bill deviates from the British Indian Act. This Bill purports to confer the benefits of its provision on the banks mentioned in it; no power is reserved with Government for extending the applicability of the Bill to any other Banking institution in the State. In British India, such power has been reserved with the Government. The Government of Travancore consider that they would be satisfied for the present with the provisions conferring privileges on Banking Companies incorporated under the new Companies Act.

I may also invite the attention of the House to clause 6 of the Bill corresponding to which there is no provision in the British Indian Act. The British Indian Act does not expressly provide for the production of bankers' books and other documents for inspection or perusal by the Court if it considers that such inspection is necessary in the interests of justice; apparently, they rely on the inherent jurisdiction vested in all courts to compel the production of any or all documents necessary for the purpose of deciding any matter before the courts. We thought that it would be better to make an express provision vesting the court with power to compel the production of books in original.

It is hoped, Sir, that this Bill will advance the cause of banking institutions in the State and would save them from the difficulties they now experience. I move that the Bill be read in the Assembly.

MR. V. R. SANKARANARAYANA PILLAI: I second it.

MR. JEBAMONY NADAR: May I ask whether, under the existing law, Government can call for bankers' books unless as per a judicial requisition?

MR. PUTHUPALLI S. KRISHNA PILLAI: Under Travancore Companies Act, there are specific provisions enabling the Registrar of Joint Stock Companies to call for and inspect or audit the accounts of banking concerns.

LIBRARY ARCHIVES Kerala Legislative Assembly

SECRETARY: The title of the Bill shall be The Travancore Bankers' Books Evidence Bill.

MR. S. CHATTANATHA KARAYALAR (*Pattanapuram 'cum Shencotta*): I wish to make one observation. So far as the principle of the Bill goes, I am in agreement with it. The definition of the expression 'Bank', occuring in the Bill, does not include the Travancore Credit Bank. According to that definition, it is only banks registered under our Companies Act that will be banks under this Bill and will be entitled to claim the privileges under this Bill.

PRESIDENT: Your point is that since the Credit Bank was brought into being under a special legislation, it will not come under this Bill?

MR. CHATTANATHA KARAYALAR: Yes, Sir. I suggest therefore, that the definition of the word 'bank' should be amended so as to include within its scope 'The Travancore Credit Bank' also.

MR. PUTHUPALLI S. KRISHNA PILLAI: That matter will be attended to.

I beg to move that the Bill be referred to a Select Committee consisting of –

Messrs E. Subramonia Aiyar,
Kainikkara M. Padmanabha Pillai.
M. Sivathanu Pillai,
T. C. Kesava Pillai,
Sahib Bahadur M. K. Mackar Pillai,
Messrs. Mathai Chemparathi,
Kumaran Vydian,
E. E. Pandarathil,
Kunjukrishnan,
Whiteley Tolson, and
myself.

MR. V. R. SANKARANARAYANA PILLAI: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: The Committee will submit its report within two months.

ADJOURNMENT MOTION.

MR. KAINIKKARA M. PADMANABHA PILLAI: I beg leave to move the Adjournment of the business of this House to discuss a definite matter of urgent public importance namely the increasing hardship and helplessness caused to Travancoreans, already suffering from the dumping of Ceylon copra and the imposition of prohibitive import duties on several Travancore goods, by the recent ban imposed in the immigration of unskilled Indian labour into Ceylon and the disbanding of daily paid workers in Ceylon Government service.

LIBRARY ARCHIVES Kerala Legislative Assembly